

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:09 CR 101**

UNITED STATES OF AMERICA,)	
)	
Vs.)	ORDER
)	
CHARLES PHILLIP SMITH,)	
)	
Defendant.)	
_____)	

THIS MATTER coming on to be heard before the court, pursuant to an oral motion by the defendant that the order setting conditions of release of the defendant be modified such that the defendant not be required to submit to chemical testing as required by condition (8)(q) of the Order Setting Conditions of Pretrial Release. It appearing to the court that the government does not have any objection to such motion and the pretrial services report does not reflect that there are any concerns concerning the defendant's use of controlled substances.

ORDER

IT IS, THEREFORE, **ORDERED** that the oral motion of the defendant to amend the conditions of pretrial release of the defendant is hereby **ALLOWED** and the defendant is released from condition (8)(q) of the Order setting conditions of release.

Signed: April 15, 2010

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

